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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/770,284	02/02/2004	Brian J. Cragun	RSW920030129US1	2214
48816	7590	08/07/2007	EXAMINER	
IBM CORPORATION - RSW (JVL)			SAX, STEVEN PAUL	
C/O VAN LEEUWEN & VAN LEEUWEN			ART UNIT	PAPER NUMBER
P.O. BOX 90609			2174	
AUSTIN, TX 78709-0609				

  

MAIL DATE	DELIVERY MODE
08/07/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/770,284	CRAGUN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Steven P. Sax	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 16 May 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 19-21 is/are allowed.
- 6) Claim(s) 1,3,5-7,9,11-13,15,17 and 18 is/are rejected.
- 7) Claim(s) 2,8 and 14 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. This application has been examined. The amendment filed 5/16/07 has been entered.

2. The indicated allowability of claims 4-6 and 10-12 is withdrawn in view of the newly discovered reference(s) to Gunturi et al (2005/0015730). Rejections based on the newly cited reference(s) follow.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-7, 9, 11-13, 15, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kupiec (6533822) and Gunturi et al (2005/0015730).

4. Regarding claim 1, Kupiec shows a computer implemented method comprising: retrieving a plurality of element properties corresponding to a plurality of elements, wherein the elements are adapted to be displayed on a display device, and wherein the element properties for each element includes a unique tab order number (Fig. 3, 5,

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column 3 lines 30-50); positioning the selected elements in a display buffer in order of the element's tab order number, so that elements with lower tab order numbers are positioned towards the top of a display and elements with higher tab order numbers are positioned towards the bottom of the display and rendering the display buffer on the display device (column 7 lines 1-25). Kupiec does not go into the details of:

"altering the tab order numbers included in the element properties prior to the retrieving, positioning, and rendering steps, wherein the altering further includes:  
retrieving an initial unique tab order number for each of the elements;  
displaying, on a tab order display panel, the initial unique tab order numbers in a location proximate to the elements that correspond to the initial unique tab order numbers; and  
swapping the initial unique tab order numbers corresponding to two of the elements, the swapping resulting in the tab order numbers that correspond to the two elements"

but does mention efficient organization of the tabbed elements. Furthermore, Gunturi et al do show these features as follows:

altering the tab order numbers included in the element properties prior to the retrieving, positioning, and rendering steps, wherein the altering further includes:  
retrieving an initial unique tab order number for each of the elements (para 13, 15, 23);  
displaying, on a tab order display panel, the initial unique tab order numbers in a location proximate to the elements that correspond to the initial unique tab order numbers (para 31, 34, 36); and  
swapping the initial unique tab order numbers corresponding to two of the elements, the swapping resulting in the tab order numbers that correspond to the two elements (para 45)

for efficient organization of tabbed elements. It would have been obvious to a person with ordinary skill in the art to have this in Kupiec, because it would allow efficient organization of tabbed elements.

5. Regarding claim 3, note that the tab order number indicates a sequence a cursor moves from one element to another when the tab key is pressed (Kupiec column 6 lines 50-63, column 7 lines 1-30).

6. Regarding claim 5, Kupiec does not go into the details of "receiving a selection from a user of the tab order display panel, the selection corresponding to one of the initial unique tab order numbers, wherein the reception of the selection further includes: detecting that the initial unique tab order number corresponding to a first element selected from the plurality of elements has been selected and dragged to a position proximate to a second element selected from the plurality of elements, wherein the first and second elements are the two elements whose corresponding initial unique tab order numbers are swapped"

but does mention efficient organization of tabbed elements. Furthermore, Gunturi et al do show these features as follows:

receiving a selection from a user of the tab order display panel, the selection corresponding to one of the initial unique tab order numbers (para 31, 34 ,36), wherein the reception of the selection further includes: detecting that the initial unique tab order number corresponding to a first element selected from the plurality of elements has been selected and dragged to a position proximate to a second element selected from the plurality of elements, wherein the first and second elements are the two elements whose corresponding initial unique tab order numbers are swapped. (para 45).

It would have been obvious to a person with ordinary skill in the art to have this in Kupiec, because it would allow efficient organization of tabbed elements.

7. Regarding claim 6, Kupiec does not specifically mention saving the altered tab order numbers that correspond to the two elements in the element properties that correspond to the two elements, but this is part of the tab altering process in Gunturi et al (para 45), and the obviousness to have this in Kupiec is the same as that mentioned in paragraph 4 of this Office Action.

8. Claims 7, 9, 11-12 show the same features as claims 1, 3, 5-6 and are rejected for the same reasons.

9. Claims 13, 15, 17-18 show the same features as claims 1, 3, 5-6 and are rejected for the same reasons.

10. Claims 2, 8, and 14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims combine the constrained display feature with the details of the tab altering and swapping features.

The tab altering and swapping features provide an enhancement for the constrained display and the features combined are not set forth in the prior art of record.

11. Claims 19-21 are allowable over the prior art of record. These claims combine the constrained display feature with the details of the tab altering and swapping features. The tab altering and swapping features provide an enhancement for the constrained display and the features combined are not set forth in the prior art of record.

12. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection. Note though that the 101 rejection has been removed. Also, note this Action is non-final.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven P. Sax whose telephone number is (571) 272-4072. The examiner can normally be reached on Monday thru Friday, 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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STEVEN SAX  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "SAX".